

2007 DRAFTING REQUEST**Bill**Received: **06/22/2007**Received By: **agary**Wanted: **Soon**

Identical to LRB:

For: **Louis Molepske (608) 267-9649**By/Representing: **Chris McKinny**This file may be shown to any legislator: **NO**Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Beverages**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Molepske@legis.wisconsin.gov**Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov****Pre Topic:**

No specific pre topic given

Topic:

Restrictions on municipal officer employment relating to issuance of retail intoxicating liquor licenses

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	agary 06/22/2007	bkraft 06/25/2007	pgreensl 06/26/2007	_____	sbasford 06/26/2007		
/P2	agary 07/31/2007	bkraft 08/02/2007	rschluet 08/02/2007	_____	sbasford 08/02/2007		
/1	agary 08/14/2007	jdye 08/15/2007	rschluet 08/15/2007	_____	sbasford 08/15/2007	cdurst 08/16/2007	

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none

<END>

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/P1	agary	/p1 lmk 6/25					

FE Sent For:

<END>

ChRB = Rep. Molepshe

6/15

• alderman resigning

125.51 - vacuum salmons &
alderman
→ (1) (B)

• sells vacuum to
lawrence in Green Point

• sell alcohol beverages or
products used to dispense
or package alcohol
beverages
→

D-Note

in 6/22

soon

bjk
emk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
x-ref ✓

gen. cat.

1 AN ACT ...; relating to: issuance of retail intoxicating liquor licenses. ✓

Analysis by the Legislative Reference Bureau

Under current law, a municipal governing body may grant and issue "Class A" and "Class B" retail licenses authorizing the sale of intoxicating liquor and "Class C" retail licenses authorizing the sale of wine. ✓ A member of the municipal governing body may not sell or offer to sell to any person holding or applying for a retail license any bond, material, product, or thing that may be used by the licensee in carrying on the retail business. ✓

This bill modifies the interest restriction on a member of a municipal governing body by providing that such a member may not hold an intoxicating liquor wholesaler's permit or sell or offer to sell to any person holding or applying for a license any material or product used to dispense or serve intoxicating liquor. ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 125.51 (1) (b) of the statutes is amended to read:

3 ✓ 125.51 (1) (b) No member of the municipal governing body may hold a permit
4 under s. 125.54 or sell or offer to sell to any person holding or applying for a license

- 1 any bond, material, [✓] or product ~~or thing which may be used by the licensee in carrying~~
- 2 ~~on the business subject to licensure~~ used to dispense or serve intoxicating liquor. ✓

History: 1981 c. 79, 202, 220; 1983 a. 27 ss. 1489c, 2202 (38); 1983 a. 250, 516; 1985 a. 74, 239, 302; 1987 a. 27, 91, 103, 249, 354, 399; 1989 a. 16, 30, 31, 252, 253, 359; 1991 a. 39; 1993 a. 112; 1995 a. 27; 1997 a. 27, 41, 248, 259; 1999 a. 9, 185; 2001 a. 16, 49; 2003 a. 124; 2005 a. 22, 268, 307.

3

(END)

←
D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2904/P1dn

ARG:.....

Date

1
bjk
f/mk

✓
ATTN: Chris McKinny

Please review the attached draft carefully to ensure that it is consistent with your intent. ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft. ✓

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2904/P1dn
ARG:bjk&lmk:pg

June 26, 2007

ATTN: Chris McKinny

Please review the attached draft carefully to ensure that it is consistent with your intent.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

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STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

7/27

Chris McKinney - Rep. Molepske

7-9649

07-2904

7/30

Mc v/ Chris

19.45 →

wholesaler put OK → try to track 19.45 esp. (1)

in 7/31

anna

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Editors: Please see d. note first

d. note

SA ✓
X-ref ✓

regen. cat.

- 1 AN ACT *to amend* 125.51 (1) (b) of the statutes; **relating to:** issuance of retail
- 2 intoxicating liquor licenses.

Analysis by the Legislative Reference Bureau

Under current law, a municipal governing body may grant and issue "Class A" and "Class B" retail licenses authorizing the sale of intoxicating liquor and "Class C" retail licenses authorizing the sale of wine. A member of the municipal governing body may not sell or offer to sell to any person holding or applying for a retail license any bond, material, product, or thing that may be used by the licensee in carrying on the retail business.

This bill modifies the interest restriction on a member of a municipal governing body by providing that such a member may not hold an intoxicating liquor wholesaler's permit or ~~sell or offer to sell to any person holding or applying for a license any material or product used to dispense or serve intoxicating liquor.~~

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **SECTION 1.** 125.51 (1) (b) of the statutes is amended to read:

- 4 125.51 (1) (b) No member of the municipal governing body may hold a permit
- 5 under s. 125.54 or sell or offer to sell to any person holding or applying for a license

Insert ANAL

LRS.chg
comp

renumbered 125.51 (1)(b) (intro.) and

SECTION 1

- 1 any bond, material, or product or thing which may be used by the licensee in carrying
- 2 on the business subject to licensure used to dispense or serve intoxicating liquor.

3

(END)

insert
2-2

→ D - No to

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2904/P2ins

ARG:.....

bjk

INSERT ANAL:

(no P) ✓, with respect to the issuance or denial of retail licenses: 1) realize substantial personal gain through official conduct or have any interest that interferes with the full and faithful discharge of his or her duties; 2) use his or her public position to obtain financial gain or anything of substantial value for himself or herself or certain others; or 3) solicit or accept from any person anything of value if it could reasonably be expected to influence his or her official actions or judgment. ✓

end insert anal

INSERT 2-2:

✓125.51 (1) (b) (info.)
~~sell to any person holding or applying for a license any bond, material, product or thing which may be used by the licensee in carrying on the business subject to licensure.~~ hold a permit under s. 125.54 or, with respect to the issuance or denial of licenses under this section, do any of the following:

History: 1981 c. 79, 202, 220; 1983 a. 27 ss. 1489, 2202 (38); 1983 a. 250, 516; 1985 a. 74, 239, 302; 1987 a. 27, 91, 103, 249, 354, 399; 1989 a. 16, 30, 31, 252, 253, 359; 1991 a. 39; 1993 a. 112; 1995 a. 27; 1997 a. 27, 41, 248, 259; 1999 a. 9, 185; 2001 a. 16, 49; 2003 a. 124; 2005 a. 22, 268, 307. ✓

SECTION 1. 125.51 (1) (b) 1. to 3. of the statutes are created to read:

✓125.51 (1) (b) 1. Realize substantial personal gain through official conduct or have any interest that interferes with the full and faithful discharge of his or her duties. ✓

✓2. Use his or her public position to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, ✓ or for an organization with which he or she is associated. ✓

✓3. Solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence his or her official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on his or her part. ✓

end insert 2-2

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2904/P2dn

ARG:.....

Date

1
bjk

ATTN: Chris McKinny

Please review the attached draft carefully to ensure that it is consistent with your intent. ✓ As discussed, the new provisions in this draft are modeled after s. 19.45, particularly s. 19.45 (1) to (3). ✓ I believe s. 19.45 (5) generally overlaps with s. 19.45 (1) to (3). ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. ✓ If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft. ✓

Aaron R. Gary

Legislative Attorney

Phone: (608) 261-6926

E-mail: aaron.gary@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2904/P2dn
ARG:bjk:rs

August 2, 2007

ATTN: Chris McKinny

Please review the attached draft carefully to ensure that it is consistent with your intent. As discussed, the new provisions in this draft are modeled after s. 19.45, particularly s. 19.45 (1) to (3). I believe s. 19.45 (5) generally overlaps with s. 19.45 (1) to (3).

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

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State of Wisconsin
2007 - 2008 LEGISLATURE

500M

LRB-2904/P2

ARG:bjk&lmk:rs

in 8/14

RMK

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

8/14 - per Chris, make /1

No changes

Regen

1 AN ACT *to renumber and amend* 125.51 (1) (b); and *to create* 125.51 (1) (b) 1.
2 to 3. of the statutes; **relating to:** issuance of retail intoxicating liquor licenses.

Analysis by the Legislative Reference Bureau

Under current law, a municipal governing body may grant and issue "Class A" and "Class B" retail licenses authorizing the sale of intoxicating liquor and "Class C" retail licenses authorizing the sale of wine. A member of the municipal governing body may not sell or offer to sell to any person holding or applying for a retail license any bond, material, product, or thing that may be used by the licensee in carrying on the retail business.

This bill modifies the interest restriction on a member of a municipal governing body by providing that such a member may not hold an intoxicating liquor wholesaler's permit or, with respect to the issuance or denial of retail licenses: 1) realize substantial personal gain through official conduct or have any interest that interferes with the full and faithful discharge of his or her duties; 2) use his or her public position to obtain financial gain or anything of substantial value for himself or herself or certain others; or 3) solicit or accept from any person anything of value if it could reasonably be expected to influence his or her official actions or judgment.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 125.51 (1) (b) of the statutes is renumbered 125.51 (1) (b) (intro.)
4 and amended to read:

SECTION 1

125.51 (1) (b) (intro.) No member of the municipal governing body may ~~sell or offer to sell to any person holding or applying for a license any bond, material, product or thing which may be used by the licensee in carrying on the business subject to licensure.~~ hold a permit under s. 125.54 or, with respect to the issuance or denial of licenses under this section, do any of the following:

SECTION 2. 125.51 (1) (b) 1. to 3. of the statutes are created to read:

125.51 (1) (b) 1. Realize substantial personal gain through official conduct or have any interest that interferes with the full and faithful discharge of his or her duties.

2. Use his or her public position to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated.

3. Solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence his or her official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on his or her part.

(END)

Duerst, Christina

From: Rep.Molepske

Sent: Wednesday, August 15, 2007 2:57 PM

To: LRB.Legal

Subject: Draft Review: LRB 07-2904/1 Topic: Restrictions on municipal officer employment relating to issuance of retail intoxicating liquor licenses

Please Jacket LRB 07-2904/1 for the ASSEMBLY.

8/15/2007